

DRAWING AMENDMENTS

Changes have been made to Figs. 1, 3, and 5.

Attachments: Three Replacement Sheets

Three Annotated Sheets Showing Changes

REMARKS

Reconsideration of the application is requested.

Claims 14-26 remain in the application. Claims 14-26 are subject to examination. Claims 14 and 25 have been amended.

Under the heading "Drawings" on page 2 of the above-identified Office Action, the Examiner objected to the drawings because they did not include reference number 31 associated with the analog to digital converter described in the specification.

Reference numeral 31 has been associated with the analog to digital converter in Fig. 1.

Under the heading "Drawings" on page 2 of the above-identified Office Action, the Examiner objected to the drawings because they include reference character S30 which is not mentioned in the specification.

Reference character S30 has been deleted from Fig. 3.

Under the heading "Drawings" on page 3 of the above-identified Office Action, the Examiner objected to the drawings because the vertical ordinates of Fig. 5 had not been labeled.

The vertical ordinate on the left side of Fig. 5 has been labeled as current with respect to curve 92 and as power with respect to curves 93 and 94. The vertical ordinate on the right side of Fig. 5 has been labeled as power with respect to curve 91.

Under the heading "Specification" on page 4 of the above-identified Office Action, the Examiner objected to the specification because of two informalities. The Examiner's suggested corrections have been made.

Under the heading "Claim Rejections – 35 USC § 103" on page 4 of the above-identified Office Action, claims 14, 21-23 and 25 have been rejected as being obvious over French Patent Pub. No. FR 2835056 to Tornare under 35 U.S.C. § 103.

Claims 14 and 25 have been amended to better define the invention. Support for the changes can be found by referring to the translated specification at page 19, lines 27-29. Claims 14 and 25 now specify that the reference resistor is dimensioned such that a power loss of said sensor resistor is substantially constant in a required value range of said sensor resistor.

Tornare teach that the average current flowing through the wire 13 is set to a predetermined average value (See the third and fourth paragraphs on page 4 of the attached translation). Tornare also teach that the voltage across the wire

13 changes between U_{s0} and U_{sdt} during the time period dt (See Fig. 2 and page 7 of the attached translation). Clearly since the average current flowing through the wire 13 is constant and the voltage drop across the wire 13 changes, the power loss occurring via the wire 13 is not constant during the measurement period dt . The invention as defined by claims 14 and 25 is not anticipated by Tornare.

Additionally, applicant point outs that Tornare teach a current source rather than the claimed voltage source. The Examiner has stated that a voltage is created across items 12 and 13, however if one accepts that attempt to equate the teaching in Tornare with the invention as defined by claims 14 and 25, the resistor 12 and the wire 13 of Tornare would necessarily be a part of the voltage source. The resistor 12 and the wire 13 would then no longer be available to satisfy the claimed reference resistor and sensor resistor. For this additional reason, the invention as defined by claims 14 and 25 is not anticipated by Tornare.

Under the heading "Claim Rejections – 35 USC § 103" on page 6 of the above-identified Office Action, claims 15-16 and 18 have been rejected as being obvious over French Patent Pub. No. FR 2835056 to Tornare in view of U.S. Patent No. 6,917,243 to Doherty under 35 U.S.C. § 103.

The invention as defined by claims 15-16 and 18 is not suggested by Tornare and Doherty for the reasons given above with regard to claim 14 and the teaching in Tornare.

Under the heading "Claim Rejections – 35 USC § 103" on page 8 of the above-identified Office Action, claim 17 has been rejected as being obvious over French Patent Pub No. FR 2835056 to Tornare in view of U.S. Patent No. 6,917,243 to Doherty and further in view of U.S. Patent No. 4,151,456 to Black under 35 U.S.C. § 103.

The invention as defined by claim 17 is not suggested by Tornare, Doherty, and Black for the reasons given above with regard to claim 14 and the teaching in Tornare.

Under the heading "Claim Rejections – 35 USC § 103" on page 8 of the above-identified Office Action, claim 26 has been rejected as being obvious over French Patent Publication No. FR 2835056 to Tornare in view of U.S. Patent No. 4,151,456 to Black under 35 U.S.C. § 103.

The invention as defined by claim 26 is not suggested by Tornare and Black for the reasons given above with regard to claim 25 and the teaching in Tornare.

Under the heading "Claim Rejections – 35 USC § 103" on page 9 of the above-identified Office Action, claims 19 and 20 have been rejected as being obvious

over French Patent Publication No FR 2835056 to Tornare in view of U.S.

Patent No. 6,917,243 to Doherty and further in view of U.S. Patent No.

6,873,838 to Mapes under 35 U.S.C. § 103.

The invention as defined by claims 19 and 20 is not suggested by Tornare, Doherty, and Mapes for the reasons given above with regard to claim 14 and the teaching in Tornare.

Under the heading "Claim Rejections – 35 USC § 103" on page 10 of the above-identified Office Action, claim 20 has been rejected as being obvious over French Patent Pub No. FR 2835056 to Tornare in view of U.S. Patent No. 6,917,243 to Doherty in view of U.S. Patent No. 6,873,838 to Mapes and further in view of U.S. Patent Application Publication No. U.S. 2003/0011434 A1 to Luo under 35 U.S.C. § 103.

The invention as defined by claim 20 is not suggested by Tornare, Doherty, Mapes, and Luo for the reasons given above with regard to claim 14 and the teaching in Tornare.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 14 or 25. Claims 14 and 25 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 14 or 25.

In view of the foregoing, reconsideration and allowance of claims 14-26 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$130.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stermer LLP, No. 12-1099.

Respectfully submitted,

/Werner H. Stermer/
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MPW:cgm

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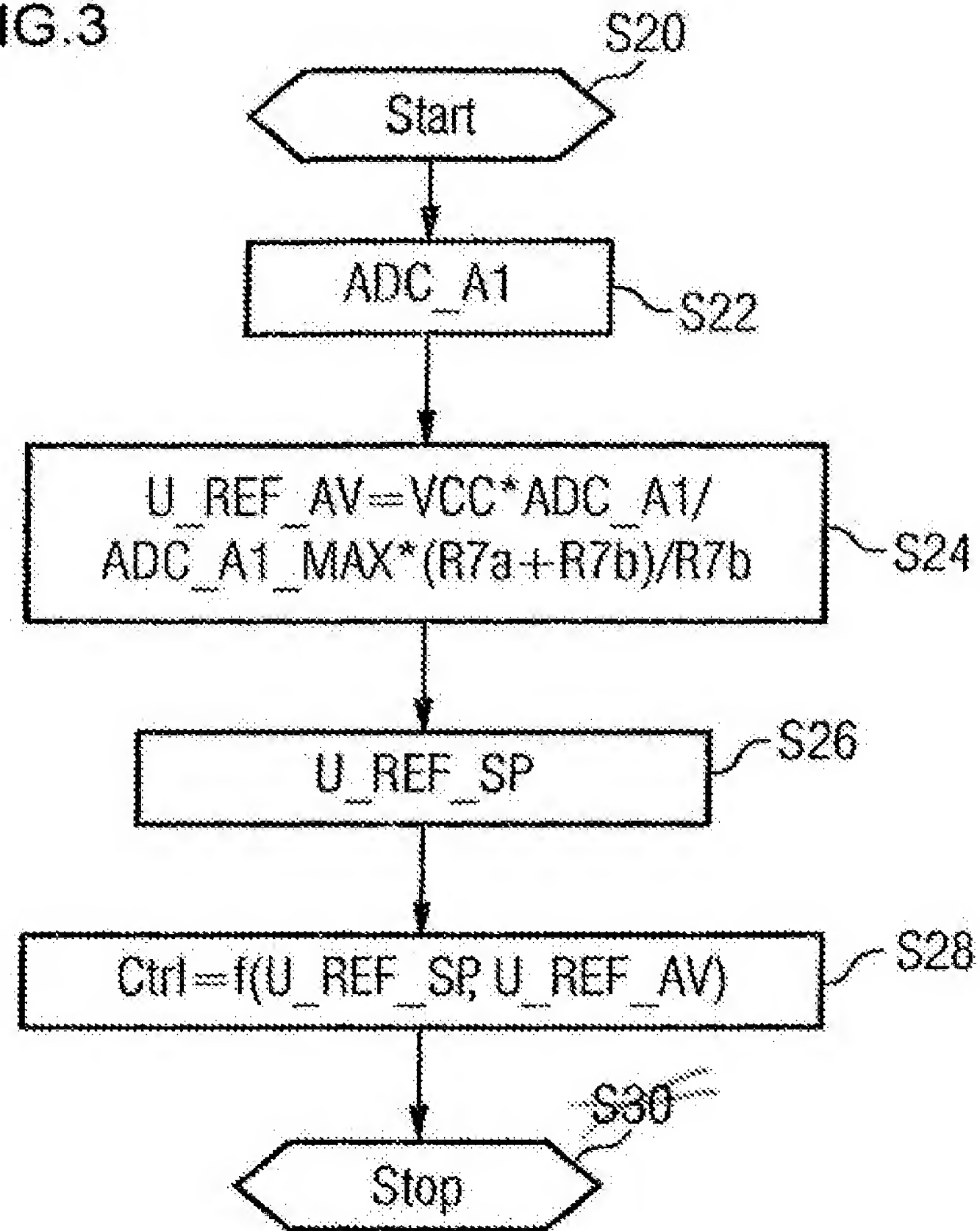
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FIG. 1

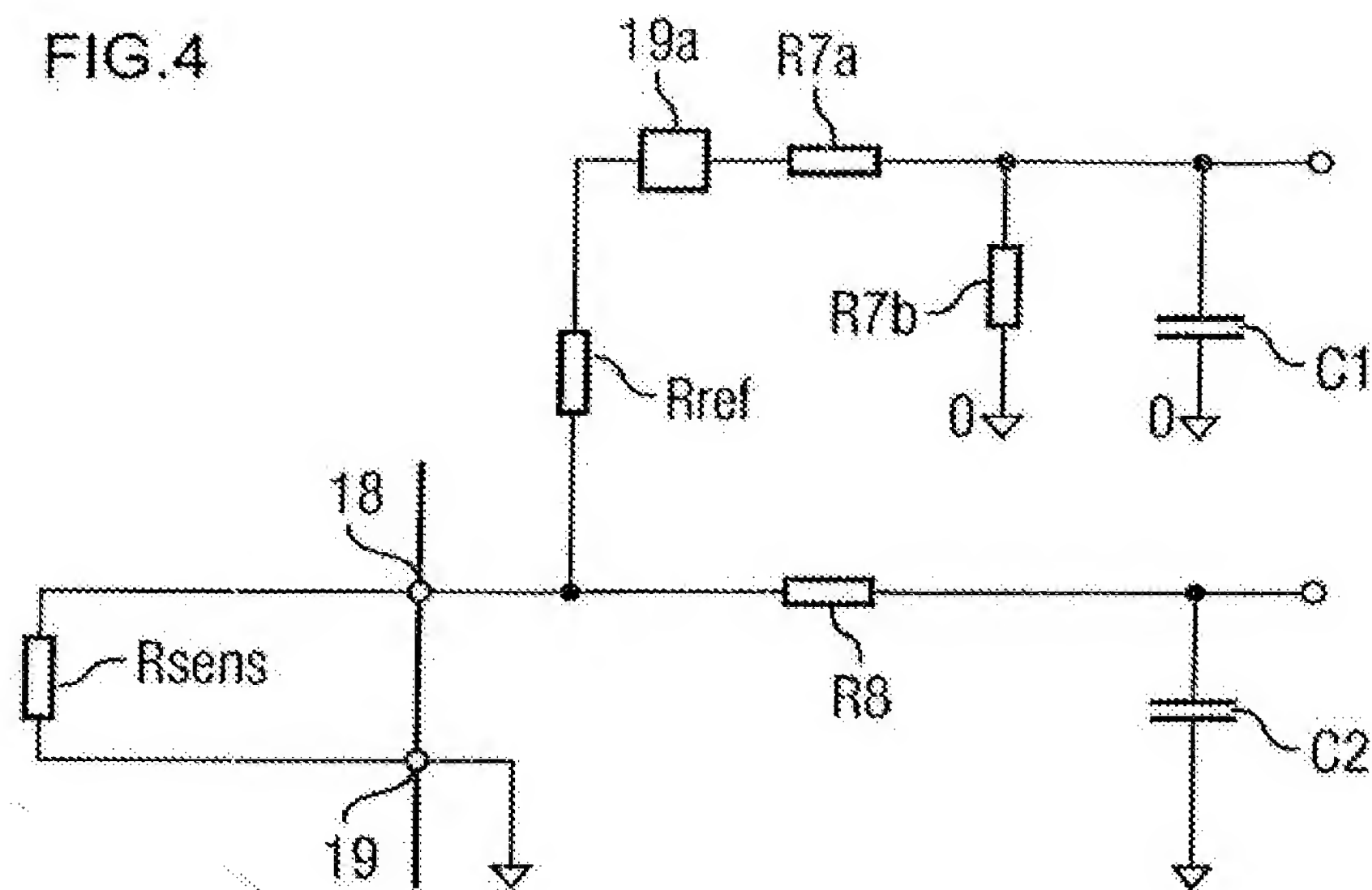
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FIG. 3



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FIG. 4



I
 (curve 92)
P (curves 93 and 94)
FIG 5

FIG. 5

(curve 91)

